

MEMORANDUM

State of Alaska

Department of Transportation & Public Facilities
Statewide Design & Engineering Services Division

TO: Distribution

DATE: July 7, 2010

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FROM: Roger Healy, P.E.
Chief Engineer

SUBJECT: Chief Engineer Directive
Program Undertakings with
No Potential to Cause
Effects to Historic Properties

Effective July 15, project development process for Section 106 is revised as outlined in this directive.

This revised process applies to Section 106 of the National Historic Preservation Act (NHPA) on federal-aid highway program undertakings under Section 6004(a) of the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU). This directive supersedes previous Section 106 process guidance contained in the Alaska Highway Preconstruction Manual, the Alaska Environmental Procedures Manual, and previous department issued memorandum or letters.

DOT&PF, in coordination with Alaska Division FHWA, has determined some project types will have no potential to cause effects to historic properties in accordance with 36 CFR Part 800.3(a)(1). No further Section 106 obligation is required for the types of program undertakings listed below provided all three of the following conditions are met:

1. The Regional Environmental Manager has provided the Statewide NEPA Environmental Manager sufficient and detailed description to enable a "no potential to affect historic properties" determination.
2. Concurrence on the determination of "no potential to affect historic properties" has been received from the applicable Statewide NEPA Environmental Manager.
3. The project scope for the program undertaking is limited to one or more of the activities listed below, and is not part of a larger undertaking:
 - a. Maintenance or rehabilitation of pavement and other roadway surfaces, including crack-sealing, pavement edge safety improvements such as 'safety edge' technology, pothole repair, overlaying, milling, resurfacing, grooving, reapplication of pavement markings, and installation of rumble strips. Conditions: The maintenance or rehabilitation is limited to existing surfaced areas with no surface expansion other

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- than that needed to provide pavement edge safety improvements, is within the existing vertical and horizontal alignments with no alterations, no ditching or drainage work is undertaken, and no new staging areas would be required.
- b. Shoulder treatments, placement of fill material, and landscaping on side slopes. Conditions: Work is limited to within the existing toe of slope embankment, and no ditching or drainage work is undertaken.
 - c. Repair or replacement of signs, signals, lighting, and railroad warning devices. Conditions: The repair or replacement is limited to similar materials on existing traffic devices and no new ground disturbance would occur.
 - d. Repair or replacement of guardrails, barriers, curb, gutter, and sidewalks. Conditions: The repair or replacement is limited to the use of similar materials to existing features and no new ground disturbance would occur.
 - e. Purchase of marine vessels for the Alaska Marine Highway System. Conditions: The purchase is not associated with the decommissioning of an existing vessel.

If you have any questions regarding this guidance please contact either Laurie Mulcahy at 269-6229 (laurie.mulcahy@alaska.gov) or Ben White at 465-6961 (ben.white@alaska.gov).

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